IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

Notice of Motion No. 861 of 2005
In
Appeal (Lodging) No. 163 of 2005
In
Suit No. 581 of 1984

Mrs. Shamina Amirali Mukadam .. Appellant
V/s.
The New India Assurance Company Ltd. .. Respondent

Mr. H.H. Trivedi for the Appellant
None present for the Respondent

CORAM : DR. S. RADHAKRISHNAN &
S.C. DHARMADHIKARI, JJ.
DATED : 07.10.2005.

P.C.:-

1. Heard the learned counsel for the Appellant. None appears for the Respondent, though served. The learned counsel for the Appellant undertakes to file Affidavit of service within a period of two weeks from today.

2. By this Notice of Motion, the Appellant is seeking condonation of delay in filing the above Appeal. Perused the Affidavit in support of the Notice of Motion. There is no Affidavit in Reply, controverting the same. Sufficient cause is made out. There is no case of inaction, negligence or want of bonafide. Notice of Motion is made absolute in terms of prayer clause (a).

(DR. S. RADHAKRISHNAN, J.)

(S.C. DHARMADHIKARI, J.)